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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,474	07/31/2000	Douglas E. Duschatko	M-8339 US	4017

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EXAMINER	
TRAN, THIEN D	

ART UNIT	PAPER NUMBER
2665	8

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/629,474	DUSCHATKO ET AL.	
	Examiner	Art Unit	
	Thien D Tran	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 July 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-85* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-85* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 07/19/2001 and 11/10/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-85 are rejected under 35 U.S.C. 102(b) as being participated by Azaren et al (U.S Patent No. 5357,249).

Regarding claims 1, 15, 16, 18, 24, 30, 37, 38, 52, 54, 56, 62, 64, 66, 72, 74, 82, 84, Azaren discloses a method of communicating a data stream through a telecommunications system comprising:

receiving said data stream at a communications interface of said telecommunications system, wherein said data stream comprises a parallel digital data signals (first plurality of words), col.3 50-60;

rearranging said data stream into a serial optical signals (second plurality of words), wherein said second plurality of words include a synchronization bit pattern (relock word), and

said relock word is configured to allow said telecommunications system to synchronize with said data stream, col.6 lines 40-55; and

for each of said second plurality of words, determining if said each of said second plurality of words should be included in the generation of a backplane parity value by determining if said each of said second plurality of words is synchronizing or not (relock word). Col.5 lines 45-46.

Regarding claims 2, 19, 25, 31, 53, 73, 83, Azaren discloses that for said each of said second plurality of words, ignoring said each of said second plurality of words, if said each of said second plurality of words is said relock word, and including said each of said second plurality of words in said parity calculation, otherwise. See col.5 lines 30-50.

Regarding claims 3, 13, 20, 26, 32, Azaren discloses calculating said backplane parity value by performing a bit-wise exclusive-or between said each of said second plurality of words included in said parity calculation, wherein said each of said second plurality of words included in said parity calculation is a byte. See col.9 lines 25-40.

Regarding claims 4, 21, 27, 33, Azaren discloses that first plurality of words is organized as a first frame having a first frame format and said second plurality of words is organized as a second frame having a second frame format. See col.6 lines 10-30.

Regarding claims 5, 22, 28, 34, 47, 48, 57, Azaren discloses that relock word is among a plurality of such relock words and said second frame includes said plurality of such relock words. See col.5 lines 25-40.

Regarding claims 6, 23, 29, 35, 60, 77, 80, Azaren discloses that telecommunications system includes a switching matrix coupled to said communications interface, and said switching matrix switches during a period of time during which said relock word traverses said switching matrix. See col.11 lines 45-60.

Regarding claims 7, 11, 12, 36, 39, 40, 42, 43, 81, Azaren discloses a method of transmitting information through a switching matrix comprising:

receiving information, wherein said information is in a transmission unit, said transmission unit is divided into a plurality of words, and said words are arranged in a first format;

rearranging a plurality of said words into a second format; and

generating a backplane parity value from at least one of said plurality of said words. See col.6 lines 40-55.

Regarding claims 8, 10, 55, 65, 75, 85, Azaren discloses that information is received as an optical signal. See col.7 lines 65-67.

Regarding claims 9, 41, Azaren discloses that transmission unit is a frame. See col.5 lines 5-10.

Regarding claims 14, 17, 50, Azaren discloses that switching matrix is switched during a period of time during which said relock word is traversing said switching matrix. See col.10 lines 1-10.

Regarding claims 44, 58, Azaren discloses that the parity checking circuit comprises:

a parity generation unit;

a storage unit;

a comparison unit, coupled to said parity generation unit and said storage unit; and

a parity checking control unit, coupled to said parity generation unit, said storage unit and said comparison unit. See col.9 lines 20-40.

Regarding claims 45, 58, Azaren discloses a telecommunications system, wherein

said parity checking control unit is configured to cause said parity generation unit to generate a parity value,

said parity checking control unit is configured to cause said storage unit to store said backplane parity value, and

said comparison unit is configured to compare said parity value and said backplane parity value, and to indicate an error if said parity value and said backplane parity value do not match. See col.10 lines 30-45.

Regarding claims 46, 63, 67, 68, 70, 76, 78, 79, Azaren discloses a method of generating a backplane parity value comprising:

for each of a plurality of words in a data stream,

determining if said each of said words should be included in said generation of said backplane parity value by determining if said each of said words is a relock word,

wherein at least one of said words is designated as said relock word, said data stream is to be communicated through a switching matrix of a telecommunications system, and said at least one of said words allows said switching matrix to be switched without causing disruption of another data stream being communicated through said switching matrix. See col.11 lines 45-60.

Regarding claims 49, 59, 69, Azaren discloses inserting said backplane parity value into said data stream; and communicating said data stream through said switching matrix. See col.12 lines 25-35.

Regarding claims 51, 61, 71, Azaren discloses the method comprising:

receiving said data stream from said switching matrix;

generating a parity value from said data stream;

comparing said parity value to said backplane parity value; and

generating an error signal if said comparison indicates that said parity value and said backplane parity value do not match. See col.10 lines 35-45.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lin (US Patent No. 5,570,370) discloses frame timing acquisition method and system for cordless TDMA systems.

Ariyavisitakul et al (US Patent No. 5,084,891) discloses technique for jointly performing bit synchronization and error detection in TDM/TDMA system.

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (703) 308-4388. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

ALPUS H. HSU
PRIMARY EXAMINER